

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CRIMINAL ACTION NO. 5:19-CR-00095-KDB-DCK**

UNITED STATES OF AMERICA,

v.

ANDRE MARQUESE WHITE,

Defendant.

**ORDER REQUIRING
GOVERNMENT RESPONSE**

THIS MATTER is before the Court on Defendant's Motion to Continue Sentencing Date. (Doc. No. 34). Defendant's sentencing hearing is currently scheduled for January 28, 2021.

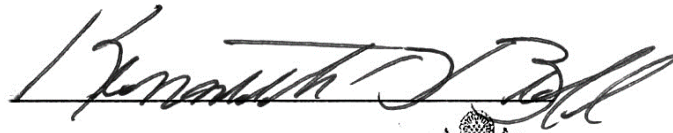
In the motion, defense counsel states that she received previously undisclosed and voluminous discovery on January 21, 2021, a mere seven days before sentencing. Defense counsel was unaware that such discovery existed despite having previously emailed the Government to verify that the Government had disclosed all discovery and no additional information was outstanding. Defense counsel requests additional time to review the newly disclosed discovery, review the evidence with Defendant, and prepare for sentencing accordingly.

The Court will require the Government to respond to Defendant's motion, addressing Defendant's claims of late discovery and why late produced discovery should not be excluded at sentencing.

IT IS THEREFORE ORDERED that the Government **SHALL** file a response to Defendant's Motion to Continue Sentencing Date (Doc. No. 34) as described in this Order within **TWO DAYS**.

SO ORDERED.

Signed: January 22, 2021

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

